

### REMARKS

Claims 1 - 18 are in the case; no claim has been amended, deleted or withdrawn. Therefore, it is believed that no additional filing fees are due.

A Revocation And Substitution - Power Of Attorney is filed herewith.

Reconsideration of the application is respectfully requested.

#### **Objection to the Drawing under 37 CFR Section 1.84(p)(4)**

The corrections to the drawing required by the Examiner have been made and a **CORRECTED** formal drawing or "Replacement Sheets" (so labelled and with the identifying indicia: title of the invention, name of the inventors, serial number, docket number, art unit number, and number of the drawing sheet, provided on the front of each drawing sheet and centered within the top margin) is submitted herewith. No **new matter** has been introduced. 35 U.S. Code § 132; 37 CFR § 1.121. Also submitted herewith is a copy of the **CORRECTED** drawing figures (**FIGURES 1 - 3**) indicating (in **RED** ink) the corrections that have been made (**ANNOTATIONS A and B**).

Specifically, in response to Paragraph 2 of the Examiner's action, Applicant has renumbered "top end 24" as --top end 26 (**ANNOTATION A**).

Specifically, in response to Paragraph 3 of the Examiner's action, Applicant has renumbered "coaxial cable coupler 40" as -- coaxial cable coupler 140--; (ANNOTATION B).

**Rejection under 35 U.S. Code Section 103  
as being unpatentable over Akre (US 6,053,129)  
in view of Keeler (US 5,850,807)**

Regarding Paragraphs 4 - 5 of the Examiner's action, the Examiner rejected Claims 1 - 4, 6 - 13 and 15 - 18 under 35 U.S. Code § 103(a) as being unpatentable over Akre (US 6,053,129) in view of Keeler (US 5,850,807). Applicant traverses the rejection based on the reasons set forth below.

Applicant recognized that the illuminating pet leashes were often pulled apart by the pulling and tugging forces exerted by pets. Applicant solved the aforementioned problem by providing an illuminating pet leash comprising a flexible and strong tethering line enclosed in an elongated illuminating light source assembly, wherein the tethering line is isolated from the light source assembly. Thus, the pulling and tugging forces exerted by a pet on said first free end are isolated from said elongated illuminating light source assembly.

Akre is directed to pet leash but **not** an illuminating pet leash. No where in Akre is there any teaching of providing a light source or other means of illuminating the leash. Applicant observes that Akre recognizes sudden and significant shock transmission on and between the animal and handler that is inherent

to leashes. Therefore, Akre designed a leash that includes a length of elastic, bungee-type cord that is 1) anchored to and 2) carried within a rigid, hollow tube member (see col. 2, lines 14-19). Since Akre **does not** teach an illuminating pet leash, the solution to shock transmissions does not take into consideration the electrical illuminating circuitry of a leash.

Therefore, in contrast to Applicant's solution, the elastic cord member 16 (tethering line) is not "independent" from the hollow tube 12 since it is anchored thereto. Moreover, Applicant does not seek to dampen the shock between the animal and handler, as does Akre but instead isolate the tethering line and electrical illuminating circuitry.

The Examiner relies on Keeler for a tethering line that is independent from the elongated illuminating light source assembly. However, Applicant observes that Keeler includes a light source in housing 13 which is in lighting relationship with a bundle of optical fibers 26 in non-opaque tube 20. The housing 13 is attached to a first end 21 of the tube 20 and a snap 17 is swively connected to a second end 23 of the tube 20 (see col.3, lines 40-49). Therefore, Keeler **does not** teach an elongated illuminating light source assembly enclosing the tethering length of said tethering line. In fact, the light source 51 is in the housing 13. In contrast to Keeler, the light source of Applicant's invention is in the tube.

Moreover, Keeler **does not** teach "*said tethering line is*

*independent from the elongated illuminating light source assembly so that pulling and tugging forces exerted by a pet on said first free end are isolated from said elongated illuminating light source assembly."* While Keeler describes a steel cable 24, the use and connection of the steel cable 24 is essentially silent. Moreover, the description in Keeler does not describe an isolated tethering line. Instead, the non-opaque tube 20 would provide the tethering in the Keeler's leash since the snap 17 is swively connected to the second end 23 of the tube 20.

Regarding the combination of Akre and Keeler, such combination **does not** teach *"said tethering line is independent from the elongated illuminating light source assembly so that pulling and tugging forces exerted by a pet on said first free end are isolated from said elongated illuminating light source assembly."* In fact, neither Akre nor Keeler teach a tethering line that is independent from the elongated illuminating light source assembly.

Claim 10 has similar language as Claim 1. Thus, the remarks set forth above in relation to Claim 1 equally apply to Claim 10.

In view of the above remarks, Claims 1 and 10 are allowable over Akre as modified by Keeler.

Claims 2 - 9 and 11-18 depend directly or indirectly from Claims 1 and 10, respectively, thus for the same reasons as stated with regard to Claims 1 and 10, Claims 2 - 9 and 11-18 are also allowable over Akre as modified by Keeler.

**Rejection under 35 U.S. Code Section 103  
as being unpatentable over Akre (US 6,053,129)  
in view of Keeler (US 5,850,807) and  
further in view of Lacey (US 4,903,638)**

Regarding Paragraph 6 of the Examiner's action, the Examiner rejected Claims 5 and 14 under 35 U.S. Code § 103(a) as being unpatentable over Akre (US 6,053,129) in view of Keeler (US 5,850,807) and further in view of Lacey (US 4,903,638). Applicant traverses the rejection based on the reasons set forth below.

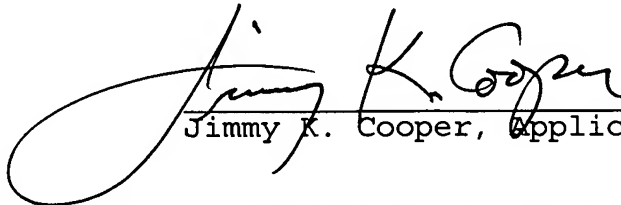
First, Lacey's leash **does not** teach the deficiencies set forth above in relation to Akre and Keeler. Therefore, the combination of Akre in view of Keeler and further in view of Lacey does not teach the claimed invention.

Furthermore, Applicant observes that the steel cable of Lacey's leash is not used to retrain the animal and is not a tethering line. Instead, the steel cable is used to release the jaw section of the leash. In contrast, Applicant's invention uses either a monofilament or stainless steel wire leader to aid in the restraining force of the animal. The hook end of Applicant's invention is made to directly connect to the hook while the other end is affixed in the handle.

# CONCLUSION

Based on the above remarks, it is submitted that all of the claims remaining in the case are allowable and an early Notice of the same is respectfully solicited. If the Examiner feels a telephone conference will in any way expedite the disposition of this matter, he is respectfully invited to contact this applicant's agent at (504) 781-4104.

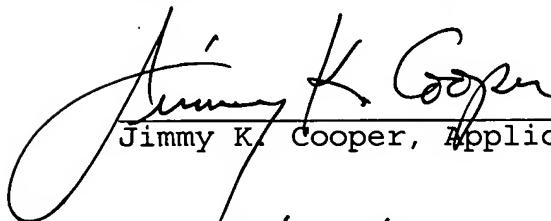
Respectfully submitted,

  
Jimmy K. Cooper, Applicant

I hereby certify that this correspondence is being deposited in the United States Postal Service as first class mail in an envelope addressed to:

COMMISSIONER OF PATENTS  
PO BOX 1450  
ALEXANDRIA VA 22313-1450

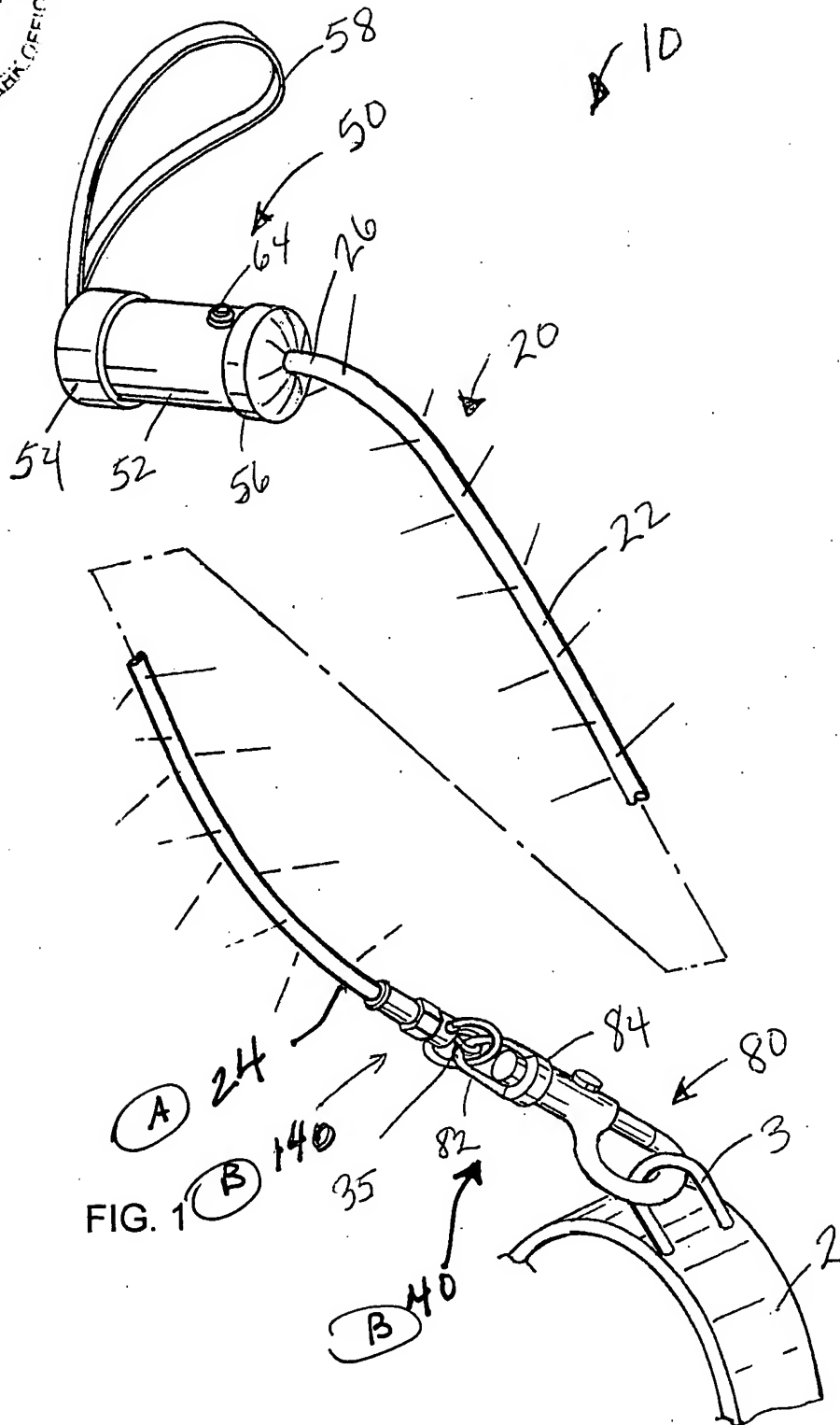
on October 27, 2004

  
Jimmy K. Cooper, Applicant

10/27/04  
Date of Signature



SERIAL NO. 10/767,823  
CORRECTED DRAWING  
( 3 SHEETS )



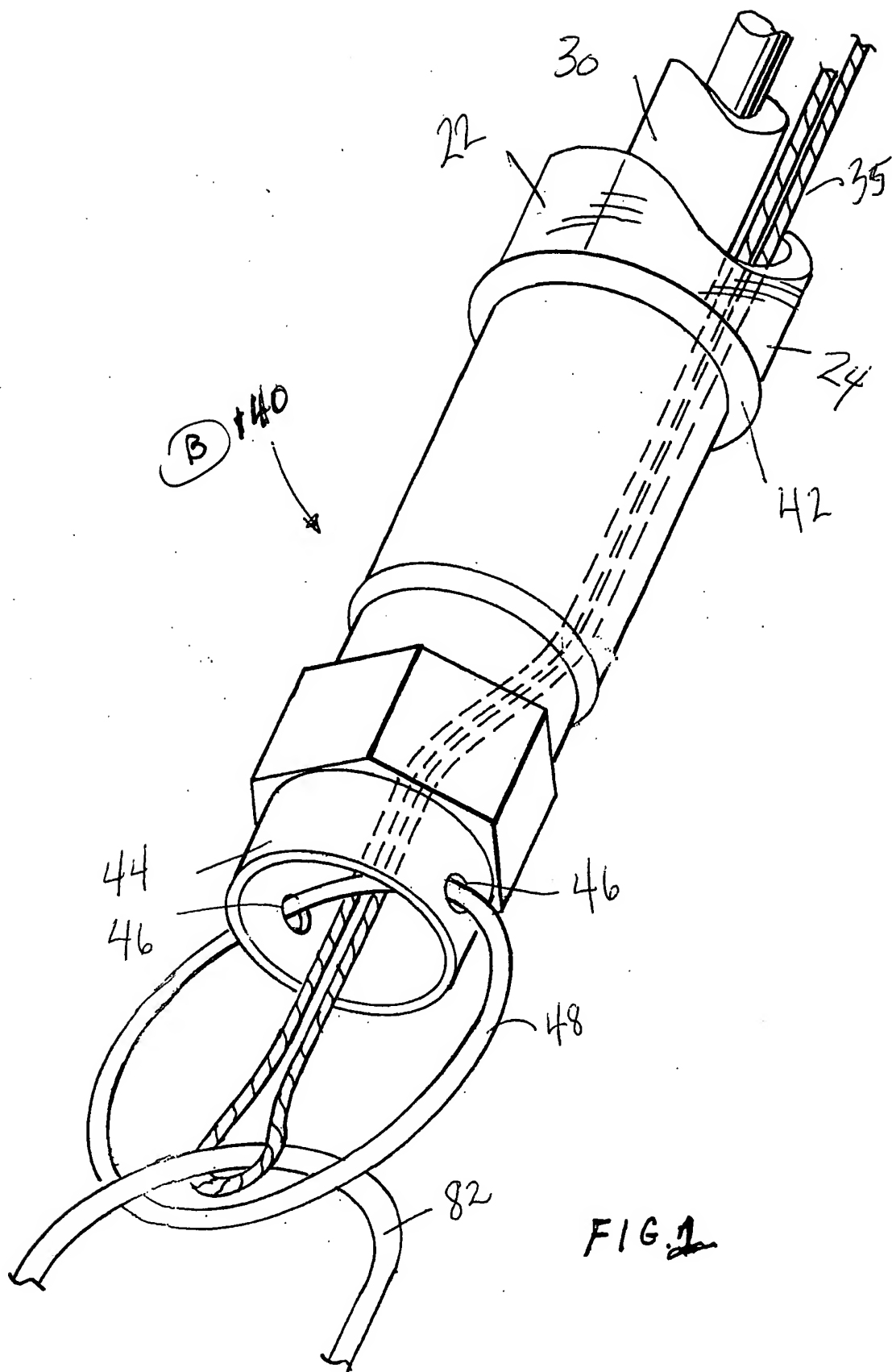


FIG. 1



